

## REMARKS

This application has been carefully reviewed in light of the January 6, 2005 Office Action. Claims 7 to 10, 12, 13, and 186 to 190 are in the application, with Claims 7 and 8 being independent. Claims 1 to 6 have been cancelled without prejudice. Claims 7, 8, 10, and 12 have been amended, and Claims 187 to 190 have been newly added. Reconsideration and further examination are respectfully requested.

Claims 1 to 10, 12, 13, and 186 were rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed, and is submitted to have been obviated by the amendments made to Claims 7 and 8. In this regard, Claims 7 and 8 recite --the detected chemiluminescence being indicative of said target single-stranded nucleic acid--. Applicants note that similar language was added to the independent claims in the parent case (now U.S. Patent No. 6,297,008) to overcome a rejection under 35 U.S.C. § 112, second paragraph.

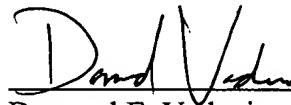
Claims 1 and 2 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 5,599,932 (Bieniarz). Claims 1 to 6 and 10 were rejected under 35 U.S.C. § 102 over Xu, et al., "Immobilization and Hybridization of DNA on an Aluminum(III) Alkanebisphosphonate Thin Film with Electrogenenerated Chemiluminescent Detection," J. Am. Chem. Soc. 1995, 117, pp. 2627-2631. Claims 1, 12, 13, and 186 were rejected for obviousness-type double patenting over Claims 1 to 7, 13, 14, and 22 of U.S. Patent No. 5,624,798 (Yamamoto). These rejections are respectfully traversed, and are submitted to have been obviated by the cancellation of Claims 1 to 6, and by the amendments made to Claims 7, 8, 10, and 12. In this regard, Claims 7 and 8, which were not subject to the Section 102 rejections or to the double patenting rejection, have been rewritten in independent form. Further, Claims 10 and 12 have been amended to depend from Claim 7.

The dependent claims are submitted to be patentable because they set forth additional aspects of the present invention and are dependent from the independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that the application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Damond E. Vadnais", is written over a horizontal line.

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